

Unofficial Draft Copy

As of: June 6, 2016 (2:40pm)

LC0086

**** Bill No. ****

Introduced By *****

By Request of the State Administration and Veterans' Affairs
Interim Committee

A Bill for an Act entitled: "An Act eliminating a statutory requirement to provide a state information technology report to the state administration and veterans' affairs interim committee; and amending sections 2-17-512 and 2-17-513, MCA."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 2-17-512, MCA, is amended to read:

- "2-17-512. Powers and duties of department.** (1) The department is responsible for carrying out the planning and program responsibilities for information technology for state government, except the national guard. The department shall:
- (a) encourage and foster the development of new and innovative information technology within state government;
 - (b) promote, coordinate, and approve the development and sharing of shared information technology application software, management systems, and information that provide similar functions for multiple state agencies;
 - (c) cooperate with the office of economic development to promote economic development initiatives based on information technology;
 - (d) establish and enforce a state strategic information

technology plan as provided for in 2-17-521;

(e) establish and enforce statewide information technology policies and standards;

(f) review and approve state agency information technology plans provided for in 2-17-523;

(g) coordinate with the office of budget and program planning to evaluate budget requests that include information technology resources. The department shall make recommendations to the office of budget and program planning for the approval or disapproval of information technology budget requests, including an estimate of the useful life of the asset proposed for purchase and whether the amount should be expensed or capitalized, based on state accounting policy established by the department. An unfavorable recommendation must be based on a determination that the request is not provided for in the approved agency information technology plan provided for in 2-17-523.

(h) staff the information technology board provided for in 2-15-1021;

(i) fund the administrative costs of the information technology board provided for in 2-15-1021;

(j) review the use of information technology resources for all state agencies;

(k) review and approve state agency specifications and procurement methods for the acquisition of information technology resources;

(l) review, approve, and sign all state agency contracts and shall review and approve other formal agreements for

information technology resources provided by the private sector and other government entities;

(m) operate and maintain a central computer center for the use of state government, political subdivisions, and other participating entities under terms and conditions established by the department;

(n) operate and maintain a statewide telecommunications network for the use of state government, political subdivisions, and other participating entities under terms and conditions established by the department;

(o) ensure that the statewide telecommunications network is properly maintained. The department may establish a centralized maintenance program for the statewide telecommunications network.

(p) coordinate public safety communications on behalf of public and private safety agencies as provided for in 2-17-543 through 2-17-545;

(q) manage the state 9-1-1 program as provided for in Title 10, chapter 4, part 3;

(r) provide electronic access to information and services of the state as provided for in 2-17-532;

(s) provide assistance to the legislature, the judiciary, the governor, and state agencies relative to state and interstate information technology matters;

(t) establish rates and other charges for services provided by the department;

(u) accept federal funds granted by congress or by executive order and gifts, grants, and donations for any purpose

of this section;

(v) dispose of personal property owned by it in a manner provided by law when, in the judgment of the department, the disposal best promotes the purposes for which the department is established;

(w) implement this part and all other laws for the use of information technology in state government;

~~(x) report to the appropriate interim committee on a regular basis and to the legislature as provided in 5-11-210 on the information technology activities of the department; and~~

~~(y)~~ (x) represent the state with public and private entities on matters of information technology.

(2) If it is in the state's best interest, the department may contract with qualified private organizations, foundations, or individuals to carry out the purposes of this section.

(3) The director of the department shall appoint the chief information officer to assist in carrying out the department's information technology duties."

{ Internal References to 2-17-512:

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| x2-15-404 | x2-17-513 | x2-17-514 | x2-17-516 |
| x2-17-516 | x2-17-516 | x2-17-516 | x2-17-516 |
| x2-17-516 | x2-17-516 | x17-5-807 } | |

Section 2. Section 2-17-513, MCA, is amended to read:

"2-17-513. Duties of board. The board shall:

(1) provide a forum to:

(a) guide state agencies, the legislative branch, the judicial branch, and local governments in the development and

deployment of intergovernmental information technology resources;

(b) share information among state agencies, local governments, and federal agencies regarding the development of information technology resources;

(2) advise the department:

(a) in the development of cooperative contracts for the purchase of information technology resources;

(b) regarding the creation, management, and administration of electronic government services and information on the internet;

(c) regarding the administration of electronic government services contracts;

(d) on the priority of government services to be provided electronically;

(e) on convenience fees prescribed in 2-17-1102 and 2-17-1103, if needed, for electronic government services; and

(f) on any other aspect of providing electronic government services;

(3) review and advise the department on:

(a) statewide information technology standards and policies;

(b) the state strategic information technology plan;

(c) major information technology budget requests;

(d) rates and other charges for services established by the department as provided in 2-17-512(1)(t);

(e) requests for exceptions as provided for in 2-17-515;

(f) notification of proposed exemptions by the university

system and office of public instruction as provided for in
2-17-516;

(g) action taken by the department as provided in
2-17-514(1) for any activity that is not in compliance with this
part;

(h) the implementation of major information technology
projects and advise the respective governing authority of any
issue of concern to the board relating to implementation of the
project; and

(i) financial reports, management reports, and other data
as requested by the department;

(4) study state government's present and future information
technology needs and advise the department on the use of emerging
technology in state government;

(5) request information and reports that it considers
necessary from any entity using or having access to the statewide
telecommunications network or central computer center;

(6) assist in identifying, evaluating, and prioritizing
potential departmental and interagency electronic government
services;

(7) serve as a central coordination point for electronic
government services provided by the department and other state
agencies; and

(8) study, propose, develop, or coordinate any other
activity in furtherance of electronic government services as
requested by the governor or the legislature; ~~and~~

~~(9) prepare and submit to the state administration and~~

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~~veterans' affairs interim committee by September 15 in the year
preceding the regular legislative session and in the manner
provided in 5-11-210 a report including but not necessarily
limited to a summary of the board's activities, a review of the
electronic government program established under part 11 of this
chapter, and any key findings and recommendations that the board
presented to the department."~~

{ Internal References to 2-17-513: None. }

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